

**In the United States Court of Federal Claims**  
**OFFICE OF SPECIAL MASTERS**  
**No. 14-1018V**  
**(Not to be published)**

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JOHN SUMMERS,

Petitioner,

v.

SECRETARY OF HEALTH AND  
HUMAN SERVICES,

Respondent.

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Filed: August 27, 2015

Decision by Stipulation; Attorney's  
Fees & Costs

Paul Brazil, Muller Brazil, LLP, Philadelphia, PA, for Petitioner

Camille Michelle Collett, U.S. Dep't of Justice, Washington, DC, for Respondent

**ATTORNEY'S FEES AND COSTS DECISION<sup>1</sup>**

On October 20, 2014, John Summers filed a petition seeking compensation under the National Vaccine Injury Compensation Program. On June 17, 2015, Petitioner filed a Motion to Voluntarily Dismiss the Petition. I subsequently issued a decision dismissing the case.

On August 27, 2015, counsel for both parties filed a joint stipulation, this time in regards to attorney's fees and costs. The parties have stipulated that Petitioner's counsel should receive a lump sum of \$16,500.00, in the form of a check payable to Petitioner and Petitioner's counsel. This amount represents a sum to which Respondent does not object. In addition, and in compliance

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<sup>1</sup> Because this decision contains a reasoned explanation for my action in this case, I will post this decision on the United States Court of Federal Claims' website, in accordance with the E-Government Act of 2002, Pub. L. No. 107-347, § 205, 116 Stat. 2899, 2913 (Dec. 17, 2002) (current version at 44 U.S.C. § 3501 (2014)). As provided by 42 U.S.C. § 300aa-12(d)(4)(B), however, the parties may object to the posted decision's inclusion of certain kinds of confidential information. Specifically, under Vaccine Rule 18(b), each party has 14 days within which to request redaction "of any information furnished by that party: (1) that is a trade secret or commercial or financial in substance and is privileged or confidential; or (2) that includes medical files or similar files, the disclosure of which would constitute a clearly unwarranted invasion of privacy." Vaccine Rule 18(b). Otherwise, the whole decision will be available to the public. (*Id.*)

with General Order No. 9, Petitioner has represented that he did incur any reimbursable costs in proceeding on this petition.

I approve the requested amount for attorney's fees and costs as reasonable. Accordingly, an award should be made in the form of a check in the amount of \$16,500.00 payable jointly to Petitioner and Petitioner's counsel, Paul Brazil, Esq. In the absence of a motion for review filed pursuant to RCFC Appendix B, the clerk of the court **SHALL ENTER JUDGMENT** in accordance with the terms of the parties' stipulation.<sup>2</sup>

**IT IS SO ORDERED.**

/s/ Brian H. Corcoran  
Brian H. Corcoran  
Special Master

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<sup>2</sup> Pursuant to Vaccine Rule 11(a), the parties may expedite entry of judgment by filing a joint notice renouncing their right to seek review.